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Tarrant County Texas

Official Public Records

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 NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**CORRECTION OF DESCRIPTION in an OIL, GAS and MINERAL LEASE**  
**and RATIFICATION of LEASE TERMS**

THE STATE OF TEXAS:

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT:

**WHEREAS**, under date of February 10, 2008, a certain Oil Gas and Mineral Lease was executed by Daniel F. Fergus and wife, Devanie Fergus, a Memorandum of said Lease being Recorded as document number D208052456, Tarrant County Deed Records, and which lease covered certain lands situated in Tarrant County, Texas, described here as follows to wit:

**1.1615 acres of land, more or less, out of the W.P. Puckett, A-1247, In Tarrant County, Texas.**

**WHEREAS**, said description of the Tract is incomplete and indefinite; the land intended to be covered by the said lease, and situated in said County and State, is more accurately described as follows, to wit:

**1.1615 acres, more or less, out of the W. P. Puckett Survey, A-1247, being more particularly described as Lot 4R1, Block 2, of The Estates on Rush Creek Phase I, an Addition to the City of Arlington, Tarrant County, Texas, according to the Plat Recorded in Cabinet "A", Page 3577, of the Plat Records, Tarrant County, Texas; including all streets, alleyways, easements, right-of-way and common areas lying within the subdivision or abutting property.**

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, and for the purpose of making said lease definite and certain in respect to the identity of the lands intended to be covered thereby, we do hereby acknowledge that it was the intention of the Lessor in the aforesaid lease to lease for oil and gas mining purpose all of the lands last above described; and we hereby amend said lease in respect to the description of the lands included therein, and ratify and adopt the same as so corrected above in all of its terms and provisions, and do hereby lease, grant, demise and let said land and premises unto XTO Energy Inc., its successors and assigns, being the present owners and holders of said lease, subject to and in accordance with all the terms and provisions of said lease including, specifically, the pooling provisions and we hereby agree and declare that said lease in all of its terms and provisions is binding on us and is valid and subsisting oil, gas and mineral lease and in full force and effect.

It is understood and agreed between the parties hereto that this document, as executed, is in no way intended to, nor does it in fact, diminish Lessor's surface estate or their rights to negotiate a surface location on the above leased premises or other aspects of the lease.

IN WITNESS WHEREOF, this instrument is executed this 13<sup>th</sup> day of January, 2009, but effective the date of the said lease.

LESSOR:

LESSEE:

By: Daniel F. Fergus  
 Daniel F. Fergus

XTO Energy Inc.

Edwin S. Ryan, Jr.  
 Edwin S. Ryan, Jr.  
 Senior Vice President-Land Administration

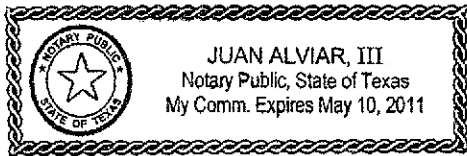
LESSOR:

By: Devanie Fergus  
 Devanie Fergus

STATE OF TEXAS:

COUNTY OF TARRANT:

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of November, 2009, by Daniel F. Fergus and Devanie Fergus.



Notary Signature:

Printed Name:

Notary Public, State of

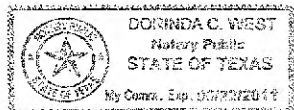
My Commission Expires:

[Signature]  
Juan Alviar III  
TEXAS  
May 10, 2011

STATE OF TEXAS:

COUNTY OF TARRANT:

The foregoing instrument was acknowledged before me this 13 day of January, 2010, by Edwin S. Ryan, Jr., Senior Vice President-Land Administration, on behalf of XTO Energy Inc.



Notary Signature:

Printed Name:

Notary Public, State of

My Commission Expires:

[Signature]  
DORINDA C WEST  
TEXAS  
06-22-2011